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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Richard E. Harper, et al.

Serial No.: 09/929,142

Group Art Unit: 2113

Filed: August 15, 2001

Examiner: Christopher S. McCarthy

For: METHOD AND SYSTEM FOR REDUCTION OF SERVICE COSTS BY  
DISCRIMINATION BETWEEN SOFTWARE AND HARDWARE INDUCED  
OUTAGES

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450  
Box AF

**AMENDMENT UNDER 37 C.F.R. §1.116**

Sir:

In response to the Office Action dated August 2, 2005, please amend the above-identified application as follows:

**INTRODUCTORY COMMENTS**

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper. No new matter has been added.

Remarks begin on page 11 of this paper.

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August 18, 2005

**VIA FACSIMILE**

To: Examiner Christopher S. McCarthy  
Group Art Unit No. 2113  
U.S.P.T.O.

Facsimile No.: (571) 273-8300

From: Scott M. Tulino  
Sean M. McGinn

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Re: Enclosed Amendment Under 37 C.F.R. 116  
U.S. Patent Application Serial No. 09/929,142  
Our Ref: YOR.270

Dear Examiner McCarthy:

Enclosed for filing is an Amendment in response to the Final Office Action mailed on August 2, 2005, which should place the above-referenced case in condition for allowance.

Thank you in advance for your consideration on this case.

Very truly yours,



Scott M. Tulino  
Sean M. McGinn

SMT  
Enclosure  
Total No. of Pages Transmitted: 14